

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL ACTION
	:	
	:	NO. 1-374-1
v.	:	
	:	
DIODAYAN LEDESMA CUESTA	:	
<i>Defendant</i>	:	

ORDER

AND NOW, this 11th day of September 2020, upon consideration of Defendant Diodayan Ledesma Cuesta's *pro se motion for reduction of sentence pursuant to § 3582(c)(1)(A)(i) of the First Step Act of 2018*, (Doc. 163), the supplemental filing thereto, (Doc. 166, 169, 176), and the Government's response in opposition, (Doc. 170, 175), and after considering the applicable factors set forth in 18 U.S.C. § 3553(a) and the applicable policy statements issued by the United States Sentencing Commission, it is hereby **ORDERED** that, consistent with the reasons set forth in the accompanying Memorandum Opinion, Defendant's motion for reduction of sentence is **GRANTED**. Accordingly, Defendant's previously imposed sentence of imprisonment for 360 months and eight (8) years of supervised release is hereby reduced to a sentence of time-served followed by eight (8) years of supervised release.

It is further **ORDERED** that this Order is **STAYED** for up to twenty-one (21) days, for the verification or establishment of Defendant's transfer plan and to make appropriate transport arrangements. Defendant shall remain in custody of the Bureau of Prisons ("BOP") and/or the U.S. Marshals Service pursuant to the 2003 detainer issued by the United States District Court for the Middle District of Florida ("MDFL") for a violation of supervised release. The BOP and/or

U.S. Marshals Service shall arrange for Defendant to appear in the MDFL,¹ where his violation of supervised release remains pending adjudication, and shall do so as soon as such arrangements are established and it is safe for Defendant to be transported. If more than twenty-one (21) days are needed to make the appropriate arrangements, the parties shall immediately notify the Court, provide reasons for the delay, and show cause why the stay should be extended.

BY THE COURT:

/s/ Nitza I. Quiñones Alejandro

NITZA I. QUIÑONES ALEJANDRO

Judge, United States District Court

¹ If the MDFL is utilizing digital methods to conduct such proceedings due to the COVID-19 Pandemic, the BOP need only make Defendant available for such virtual proceedings.